

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

RUFUS DONNELL BASKIN,

Plaintiff,

VS.

**OFFICER THOMAS BLACK,
LIEUTENANT HAROLD BOYETT,
and SERGEANT DOUGLAS KNIGHT,**

Defendants.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

2:03-cv-01553-JHH-PWG

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on April 28, 2005, recommending that the defendants' motion for summary judgment be granted and this cause be dismissed with prejudice. Plaintiff filed objections on May 10, 2005.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and his recommendation is **ACCEPTED**. The Court **EXPRESSLY FINDS** that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, plaintiff's objections are due to be **OVERRULED**, defendants' motion for summary judgment is due to be **GRANTED** and this action is due to be **DISMISSED WITH PREJUDICE**. A Final Judgment will be entered.

DONE this the 23rd day of May, 2005.

SENIOR UNITED STATES DISTRICT JUDGE

